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U.S. DISTRICT COURT
FILED
FEB 29 2008
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February 26, 2008

Via Facsimile and Regular Mail
Facsimile No. (914) 390-4085

Honorable Charles L. Bricant
 United States District Judge
 United States District Court
 Southern District of New York
 300 Quarropas Street
 White Plains, New York 10601

*Re: Adrian Huff, as Chairman of the Board of Trustees of Teamsters Local
 445 Construction Division Pension Fund v. Rodar Enterprises, Inc.
 Civil Action No. 07 Civ. 7083 (CLB)(LMS)
 Our File No. 04-7498*

Dear Judge Brieant:

We represent Adrian Huff, *et al.*, (Plaintiff) in the above referenced matter. I write regarding Plaintiff's Motion for an Award of Unpaid Withdrawal Liability, Interest on Unpaid Withdrawal Liability, Liquidated Damages, Attorneys' Fees and Expenses Pursuant to 29 U.S.C. § 1132(G)(2) (Motion) and the appearances scheduled to argue the Motion this Friday, February 29, 2008.

Yesterday, I spoke with a representative from the Law Offices of Edmund V. Caplicki, Jr., attorneys for defendant Rodar Enterprises, Inc. (Defendant) in the above referenced matter. I was informed that Defendant does not oppose the Motion and does not intend to appear this Friday, February 29, 2008. Because Defendant does not oppose the Motion, Plaintiff respectfully requests that the Motion be granted in its entirety without the necessity for oral argument.

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Honorable Charles L. Brieant
United States District Judge

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February 26, 2008

Thank you for your courtesies in this matter. If you have any questions, please do not hesitate to contact me.

Very truly yours,



William F. Cusack III (WC2497)

WFC:aa

cc: Adrian Huff, Fund Chairman (via facsimile)
Sharon Molinelli, Fund Administrator (via facsimile)
David Kramer (via hand delivery)
Edmund V. Caplicki, Jr., Esq. (via facsimile)

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